

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE PETITION OF</b>	)	
<b>IAT COMMUNICATIONS, INC. DBA NTCH-</b>	)	<b>CASE NO. GNR-T-03-8</b>
<b>IDAHO, INC. OR CLEAR TALK FOR</b>	)	
<b>DESIGNATION AS AN ELIGIBLE</b>	)	
<b>TELECOMMUNICATIONS CARRIER.</b>	)	
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<b>IN THE MATTER OF THE APPLICATION</b>	)	
<b>OF NPCR, INC. DBA NEXTEL PARTNERS</b>	)	<b>CASE NO. GNR-T-03-16</b>
<b>SEEKING DESIGNATION AS AN ELIGIBLE</b>	)	<b>NOTICE OF SCHEDULING</b>
<b>TELECOMMUNICATIONS CARRIER.</b>	)	
	)	<b>NOTICE OF HEARING</b>
	)	
	)	<b>ORDER NO. 29312</b>

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On February 3, 2003 and April 28, 2003 respectively, IAT Communications, Inc. dba NTCH-Idaho, Inc. or Clear Talk and NPCR, Inc. dba Nextel Partners filed Applications requesting that the Commission designate them as "eligible telecommunications carriers" (ETC) in specific areas in southeastern Idaho. After reviewing the pleadings the Commission found it appropriate to process the Applications in a joint proceeding. Order No. 29240. In addition, the Commission decided to process the Applications by Modified Procedure under the Commission's Rules of Procedure. IDAPA 31.01.01.201-.204

On June 10, 2003, the Idaho Telephone Association (ITA) filed a protest, objecting to the use of Modified Procedure to process this case. *See* Order No. 29240. ITA requested instead that the Commission schedule this joint proceeding for a full evidentiary hearing. Applicants Nextel Partners and Clear Talk filed responses on June 16 and 20, 2003, respectively. Each Company stated no opposition to ITA's request for an evidentiary hearing.

On June 17, 2003, Citizens Telecommunications Company of Idaho, Potlatch Telephone Company, CenturyTel of Idaho and CenturyTel of the Gem State (Citizens and the Protestants) filed joint Protests, Comments and a Motion for Stay. Citizens' and Protestants' Motion for Stay was filed pursuant to Commission Rules of Procedure 203 and 324. IDAPA 31.01.01.203 and .324. ITA filed its response in support of Citizens' and Protestants' Motion for

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Stay on June 26, 2003. Nextel Partners and Clear Talk filed responses in opposition to the granting of a stay on June 26, 2003.

On July 21, 2003, the Commission denied Citizens' Motion for Stay and granted ITA's request for an evidentiary hearing. Order No. 29292. In addition, the Commission directed the parties to meet informally to agree on a schedule for this joint proceeding. On July 31, 2003, counsel for Clear Talk, Nextel Partners, Citizens Telecommunications of Idaho, the Idaho Telephone Association, Project Mutual Telephone Cooperative Association, Inc. and the Commission Staff met at the offices of the Commission and agreed upon the proposed schedule for this case and have requested that the Commission accept or adopt it.<sup>1</sup>

#### **COMMISSION FINDINGS AND DECISION**

Based upon agreement of the parties we find it reasonable to adopt the schedule they have proposed for this joint proceeding. This schedule is set forth below

YOU ARE HEREBY NOTIFIED that the parties and the Commission Staff have agreed to the following schedule:

Tuesday, September 2, 2003	Prefile deadline – Nextel Partners and Clear Talk direct testimony
Wednesday, October 15, 2003	Prefile deadline – Intervenors and Commission Staff direct testimony
Monday, November 17, 2003	Prefile deadline – Nextel Partners and Clear Talk rebuttal testimony

YOU ARE FURTHER NOTIFIED that discovery is available in Case Nos. GNR-T-03-8 and GNR-T-03-16 pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.221-234. Parties should coordinate their production requests to facilitate compliance with the foregoing schedule. Specifically, the standard time period to object or respond to discovery requests applies, as set forth in Commission Rule of Procedure 225.03, with the exception that Clear Talk and Nextel Partners shall file any final discovery requests on or before October 20, 2003 and any party served with any such request shall answer on or before November 10, 2003.

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<sup>1</sup> Representatives from Qwest Corporation did not attend this meeting.

YOU ARE FURTHER NOTIFIED that a **technical hearing** in Case Nos. GNR-T-03-8 and GNR-T-03-16 is scheduled to commence **TUESDAY, DECEMBER 9, 2003, AT 9:30 A.M. (MST) IN THE COMMISSION HEARING ROOM, 472 WEST WASHINGTON STREET, BOISE, IDAHO,** continuing to December 10 and 11 at the same location if necessary.

YOU ARE FURTHER NOTIFIED that all hearings in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act (ADA). Persons needing the help of a sign language interpreter or other assistance in order to participate in or to understand testimony and argument at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION  
PO BOX 83720  
BOISE, IDAHO 83720-0074  
(208) 334-0338 (Telephone)  
(208) 334-3762 (FAX)  
E-Mail: [secretary@puc.state.id.us](mailto:secretary@puc.state.id.us)

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 and 62 of the Idaho Code and the Commission's Rules and that the Commission may enter any final Order consistent with its authority.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

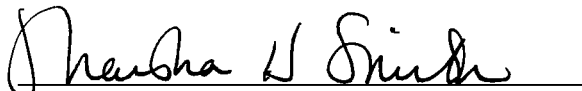
### **ORDER**

IT IS FURTHER ORDERED and the Commission does hereby adopt the schedule and hearing dates set forth above.

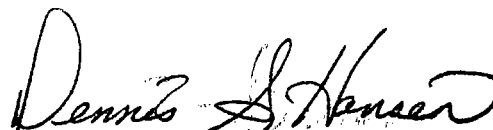
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 6<sup>th</sup>  
day of August 2003.



PAUL KJELLANDER, PRESIDENT

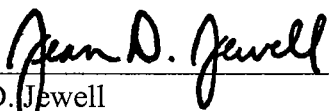


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell  
Commission Secretary

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